

TUESDAY, 10 o'clock, A. M. }
January 4th, 1848. }

Senate met—roll called—the following Senators answered to their names :

Messrs. Abbott, Bourland, Brashear, Bache, Burleson, Cuny, Dancy, Gage, Grimes; McRea, Navarro, Perkins, Phillips, Wallace, Williams and Wootten—quorum present.

The Journal of the preceding day was read and adopted.

Mr. Dancy presented the petition of William Primm, praying that certain named children should be made his legal heirs—which was read, and

On motion of Mr. Dancy, referred to the committee on the Judiciary.

Mr. Gage, Chairman of the committee on Counties and County Boundaries, made the following report :

HON. J. A. GREER,
President of the Senate:

The committee on Counties and County Boundaries, to whom was referred a bill to be entitled an act to provide for marking in part, the boundary line between the land districts of Fannin and Nacogdoches, have had the same under consideration, and instructed me to report the same back to the Senate, without amendment, and recommend its passage.

D. GAGE, Chairman.

Jan. 4th, 1848.

Mr. Abbott, Chairman of the committee on Enrolled bills, made the following report.

Committee Room, }
Jan. 3d, 1848. }

HON. J. A. GREER,
President of the Senate:

The committee on Enrolled Bills, to whom were referred a "Joint Resolution" granting further time for the payment of Government dues and the return of field notes," and also, "an act to reserve one of the public buildings in the city of Austin.

for the use of the Supreme Court," have compared said Joint Resolution and said act with the engrossed copies and find them correctly enrolled.

W. C. ABBOTT, Chairman.

Mr. Williams, Chairman of the committee on Apportionment, Privileges and Elections, made the following report:

Committee Room, }
Austin, Jan. 4th, 1848. }

HON. J. A. GREER,
President of the Senate:

The committee on Apportionment, Privileges and Elections, to whom were referred the papers, evidences, &c., appertaining to the contested seat of Hon. Jose Antonio Navarro, have considered the same, and find from the law and the evidence adduced by the parties, that the present incumbent, Jose Antonio Navarro is entitled to the seat, and would recommend that he be confirmed in the same.

WM. M. WILLIAMS, Chairman.

On motion of Mr. Brashear, the report was taken up and adopted.

On motion of Mr. Phillips, Mr. Clark was excused from attendance on the Senate, on account of sickness.

Mr. Phillips offered the following resolution:

"*Resolved*, That the Committee on the Judiciary take into consideration that portion of the Governor's message, relating to the decisions of the Supreme Court of the State, and report such bill relative thereto as they consider expedient and proper."

Adopted.

Mr. Perkins, Chairman of the Committee on Engrossed Bills, made the following report:

Committee Room, }
January 4th, 1848. }

Hon. J. A. Greer, President of the Senate:

The Committee on Engrossed Bills have examined the following bill and joint resolutions, viz: "An Act to provide for

fixing the seat of Justice of the County of Dallas." A Joint Resolution authorizing the Adjutant General to issue a bounty land warrant to Elijah D. Holland, and a Joint Resolution authorizing the Commissioner of the General Land Office to issue a patent in the name of Adolphus Sterne, assignee of Maria Josefa Sanchez," finding the same correctly engrossed they have directed me to report the same.

S. W. PERKINS, Chairman.

A message was received from the House of Representatives through their chief clerk, Mr. Ben. F. Hill, informing the Senate that the House had concurred in the amendments of the Senate to a bill to provide for locating the Seat of Justice of the County of Austin.

Mr. Grimes, Chairman of the Committee on Finance made the following report:

City of Austin, }
January 3d, 1848. }

Hon. J. A. GREER,
President of the Senate:

The Committee on Finance to whom was referred a "Bill to be entitled an act to authorize and require the Commissioner of the General Land Office to receive gold and silver at the rate of one dollar thereof, for five dollars in Texas promissory notes, for all Government dues (except taxes) upon land, and patents for land"—have had the same under consideration, and instructed me to return the bill to the Senate, with amendments, and recommend its passage. Amendments—strike out of the caption and the bill the words "except taxes," which words are enclosed in brackets.

Mr. Perkins offered the following resolution:

"*Resolved*, That the Engrossing Clerk of the Senate have absence for ten days."

Adopted.

Mr. Jewett offered the following resolution:

"*Resolved*, That the Committee on the Judiciary take into consideration that part of the Governor's message which relates to fraudulent land claims, and report by bill, or otherwise, the result of their deliberations."

Adopted.

Mr. Parker, Chairman of the Committee on Claims and Accounts, made the following report :

Committee Room, }
January 4th, 1848. }

Hon. J. A. GREER,
President of the Senate.

The Committee on Claims and Accounts, to whom was referred a "Joint Resolution for the relief of the Citizens of Texas who had their property destroyed and taken off by the Mexican Government during the revolution," have had the same under consideration and instructed me to submit the following report and recommend its passage.

It is the opinion of the committee that when a nation embarks in war the calamities resulting from it should be borne by all as equally as possible, and this is no less a rule of sound policy than a principle of justice; for unless the Government would cause its citizens to be remunerated for calamities which casually fall upon them, the hazards of war would at all times be encountered by the inhabitants of a nation with reluctance. Otherwise mere favored individuals and sections of country, less exposed, would not be affected by it at all, while certain ruin would inevitably fall upon more exposed individuals and less favored regions; and in order that the calamities of war may not fall unequally upon individuals, the modern usage among civilized nations has been to provide, in the treaty of peace, for indemnity for the injuries done the private property of its citizens by the enemy during the war. No one will say that the burthens of the Texas revolution should be borne by a few individuals only, but that they should fall alike equally upon all; and let us apply these principles to the cases which the resolution was intended to provide. During the war between Texas and Mexico some of our citizens were not at all effected by it, some were seriously injured, and others were entirely ruined; and had this war been terminated by Texas as an independent nation, she would have been bound morally and according to the modern usage among civilized nations to provide, in the treaty of peace with Mexico, for remuneration for the injuries which her citizens had thus sustained, and it is not fair to presume that she would, in that event, have done less than duty and humanity required of her.

That since during the pendency of this war the sovereignty of Texas, in a national point of view, merged in that of the United States; and since the latter has assumed the position of the former in relation to it, and is now prosecuting what in truth may be considered the same identical and unfinished war, surely she should feel the same moral obligation resting upon her to provide for the remuneration of those individuals who formerly as citizens of Texas, and now as citizens of the United States, are still involved in the same unfinished war. The relations of Texas have so changed, by annexation, that she can now make no treaty stipulations on the subject herself; and unless the Government of the United States does provide for their remuneration, in her treaty of peace with Mexico, the probability is that they will never be remunerated at all—and, under such circumstances, it would not surely be just that the claims of those citizens who have been longest engaged in the war—who have borne most of its calamities, and who have fought so gallantly upon every battle field, should receive a less favorable consideration at the hands of our Government than the claims of other citizens of the United States.

ISAAC PARKER, Chairman.

Mr. Dancy entered the following dissent from the above report, viz:

Senate Chamber, }
4th January, 1848. }

To the President of the Senate:

JOHN A. GREER, Esq.

I dissent from that part of the Report of the Committee on Claims and Accounts, handed in to-day, which says that the war, which is now waged by the United States against Mexico, is the identical war which was waged by Texas against Mexico previous to annexation. I believe that the present war was brought on by the act of Mexico.

JON. W. DANCY,
One of the Committee.

Mr. Wallace introduced a bill to be entitled an act to amend the 18th and 74th sections of an act to regulate proceedings in

the District Courts. Approved 14th May. A. D. 1846. Read first time.

The Senate then proceeded to the orders of the day.

Joint Resolutions responsive to the Resolutions of the General Assembly of the State of Rhode Island and Providence Plantations. Read second time, and on motion of Mr. Williams, referred to the Committee on State Affairs.

A bill to be entitled an act prescribing the proof necessary for the heirs or legal representatives of those who fell under the command of Fannin, Travis, Grant and Johnson to obtain their headright certificates. Read second time, and on motion of Mr. Brashear, referred to the Committee on Private Land Claims.

A bill to be entitled an act to prohibit the boards of Land Commissioners, in each county in this State, from issuing certificates to any claimant whatsoever, unless the applicant or claimant shall previously thereto have received a conditional certificate from some competent board. Read second time, and on motion of Mr. Parker, referred to the Committee on Public Lands.

A bill to be entitled an act appropriating five thousand dollars for the contingent expenses of both Houses of the Legislature, Read second time, and on motion of Mr. Grimes, referred to the Committee on Finance.

Joint Resolution, authorizing the Commissioner of the General Land Office to issue a patent in the name of Adolphus Sterne, assignee of Maria Josefa Sanchez—on motion of Mr. Williams, laid upon the table.

A Joint Resolution, authorizing the Adjutant General to issue a bounty land warrant to Elijah D. Holland—read third time and passed.

A bill to be entitled an act to provide for fixing the Seat of Justice of the County of Dallas—read third time and passed.

A bill to be entitled an act establishing more permanently the Seat of Justice of Collin County—read second time and passed to a third reading.

A bill to be entitled an act to change the name of Robert Franklin Cypert to Robert Franklin Miller. Read second time, and, on motion of Mr. Wallace, ordered to be engrossed.

A bill to be entitled an act to make Robert Franklin Miller the lawful heir of Solomon Miller—read second time, and, on

motion of Mr. Grimes, referred to the Committee on the Judiciary.

A bill to be entitled an act to legitimate certain children of Benjamin Bryant—read second time, and, on motion of Mr. Bourland, ordered to be engrossed.

A bill to be entitled an act to legalize and make valid the official acts of Chief and Associate Justices, while sitting as boards of Land Commissioners, between the first Monday in September, 1845, and the first day of January, 1846—read second time, and, on motion of Mr. Wallace, referred to the Committee on Public Lands.

Mr. Williams offered the following resolution:

Resolved, That the Committee on State Affairs be instructed to inquire into the expediency of proposing an amendment to the third section of the tenth article of the Constitution, so as to authorize the Legislature to dispose of the lands heretofore appropriate for school purposes, otherwise than by lease, as required by said section."

Adopted.

On motion, of Mr. Williamson, the Senate adjourned until to-morrow morning; 10 o'clock.

Wednesday 10 o'clock, A. M.
January 5th, 1848.

Senate met—roll called—the following Senators answered to their names:

Messrs—Abbott, Bourland, Brashear, Bache, Burleson, Cuny, Dancy, Gage, Grimes, Jewett, McRae, Navarro, Parker, Perkins, Phillips, Wallace, Williams, Williamson and Wooten,—quorum present;

The Journal of the preceding day was read and adopted.

Mr. Perkins, Chairman of the Committee on Engrossed bills made the following report.